

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	<b>No. 08-03098-01-CR-S-RED</b>
	)	
Plaintiff,	)	<b>COUNTS ONE THROUGH FOUR:</b>
	)	16 U.S.C. § 3372(d)(2) & 3373(d)(3)(A)(i)
v.	)	NMT 5 yrs imprisonment & \$250,000 fine
	)	NMT Three years supervised release
<b>JOHN F. RICHARDS,</b>	)	Class D felony
[DOB: 07/22/1958],	)	
	)	
Defendant.	)	\$100 Mandatory Assessment Each Count

**INDICTMENT**

THE GRAND JURY CHARGES THAT:

**COUNT ONE**

Introduction

1. At all times material herein, defendant JOHN F. RICHARDS was a resident of Strafford, Greene County, Missouri, in the Western District of Missouri, and was engaged in the business of buying and selling reptiles within Missouri and elsewhere using the business name of Loggerhead Acres Turtle Farm and the website domain name of www.turtleman.com.

2. At all times material herein, Blanding's turtles (*Emydoidea blandingii*) and western chicken turtles (*Deirochelys reticularia miaria*) were designated as endangered species in the State of Missouri. Missouri Code Regulations Title 3, Section 10-4.111(3).

The Lacey Act

3. The Lacey Act, Title 16, United States Code, Section 3372, in relevant part, makes it unlawful for any person to make or submit any false record, account, or label for, . . . any fish, wildlife, or plant which has been, or is intended to be either transported in interstate or foreign commerce, or imported, exported, transported, sold, purchased, or received from any

foreign country. Title 16, United States Code, Section 3372(d)(1) and (2).

4. The Lacey Act defines the following terms:

a. The term “fish or wildlife” means any wild animal, whether alive or dead, including without limitation any wild mammal, bird, reptile, amphibian . . . whether or not bred, hatched, or born in captivity, and includes any part, product, egg, or offspring thereof. Title 16, United States Code, Section 3371(a).

b. The term “transport” means to move, convey, carry, or ship by any means, or to deliver or receive for the purpose of movement, conveyance, carriage, or shipment. Title 16, United States Code, Section 3371(j).

5. On or about September 24, 2003, in Greene County, in the Western District of Missouri and elsewhere, the defendant JOHN F. RICHARDS, did knowingly make and submit a false record and account, that is an invoice, for wildlife that was intended to be and was transported in interstate and foreign commerce and exported from the United States to Japan, and which invoice the defendant then knew falsely stated “no charge” for 10 Blanding’s turtles and 11 western chicken turtles, when said turtles were, in fact, sold by the defendant for a charge,

All in violation of Title 16, United States Code, Section 3372(d)(2) and 3373(d)(3)(A)(i) and Title 18, United States Code, Section 2.

## **COUNT TWO**

6. Paragraphs 1 through 4 of Count One of this Indictment are re-alleged and incorporated by reference as if set forth in their entirety.

7. On or about September 24, 2003, in Greene County, in the Western District of Missouri and elsewhere, the defendant JOHN F. RICHARDS, did knowingly cause to be made and submitted a false record and account, that is a U.S. Fish and Wildlife Service Form 3-177

Declaration for Importation or Exportation of Fish or Wildlife, for wildlife that was intended to be and was transported in interstate and foreign commerce and exported from the United States to Japan, and which Declaration the defendant then knew falsely stated the total monetary value of 10 Blanding's turtles and 11 western chicken turtles,

All in violation of Title 16, United States Code, Section 3372(d)(2) and 3373(d)(3)(A)(i) and Title 18, United States Code, Section 2.

### **COUNT THREE**

8. Paragraphs 1 through 4 of Count One of this Indictment are re-alleged and incorporated by reference as if set forth in their entirety.

9. On or about January 7, 2004, in Greene County, in the Western District of Missouri and elsewhere, the defendant JOHN F. RICHARDS, did knowingly make and submit a false record and account, that is an invoice, for wildlife that was intended to be and was transported in interstate and foreign commerce and exported from the United States to Japan, and which invoice the defendant then knew falsely stated "no charge" for 4 western chicken turtles, when said turtles were, in fact, sold by the defendant for a charge,

All in violation of Title 16, United States Code, Section 3372(d)(2) and 3373(d)(3)(A)(i) and Title 18, United States Code, Section 2.

### **COUNT FOUR**

10. Paragraphs 1 through 4 of Count One of this Indictment are re-alleged and incorporated by reference as if set forth in their entirety.

11. On or about January 7, 2004, in Greene County, in the Western District of Missouri and elsewhere, the defendant JOHN F. RICHARDS, did knowingly cause to be made and submitted a false record and account, that is a U.S. Fish and Wildlife Service Form 3-177

Declaration for Importation or Exportation of Fish or Wildlife, for wildlife that was intended to be and was transported in interstate and foreign commerce and exported from the United States to Japan, and which Declaration the defendant then knew falsely stated the total monetary value of 4 western chicken turtles,

All in violation of Title 16, United States Code, Section 3372(d)(2) and 3373(d)(3)(A)(i) and Title 18, United States Code, Section 2.

**A TRUE BILL**

/s/  
FOREPERSON OF THE GRAND JURY

/s/ Georgiann G. Cerase  
Georgiann G. Cerase  
U.S. Department of Justice  
Trial Attorney

Dated: September 16, 2008